

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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**DAVID M. KIRK,**

**Plaintiff,**

**-against-**

**CITIGROUP GLOBAL MARKETS HOLDINGS  
INC.,**

**Defendant.**  
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**20-CV-7619 (ALC)**

**ORDER**

**ANDREW L. CARTER, JR., District Judge:**

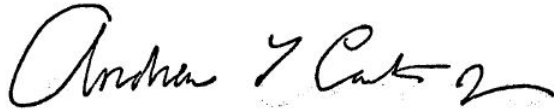
The Court is in receipt of the parties' recent letters addressing Plaintiff's request for this Court to reconsider its decision granting Defendant leave to file a motion for sanctions or in the alternative to grant Plaintiff leave to file a motion for "counter sanctions." ECF Nos. 55-56, 58. Plaintiff's request for reconsideration is **DENIED**. Plaintiff may address the points raised in his letters in his opposition to Defendant's motion for sanctions. Plaintiff is hereby **GRANTED** leave to file a motion for "counter sanctions" in connection with Defendant's alleged misstatements. This motion shall be made in accordance with the schedule set forth in the Court's May 4, 2021 Order. ECF No. 51.

The Court is also in receipt of Plaintiff's letter requesting immediate leave to file a consolidated complaint. ECF No. 59. Given that the Court has not yet ruled on a motion to consolidate (which has not yet been filed) and that the Court recently issued an Order to Show Cause why this Court should not reconsider its decision granting Defendant leave to file a motion to consolidate, ECF No. 52, Plaintiff's request is **DENIED**.

Defendant is hereby **ORDERED** to serve Plaintiff with the instant order and file proof of service by no later than May 18, 2021.

**SO ORDERED.**

**Dated:**       **May 14, 2021**  
                  **New York, New York**

A handwritten signature in black ink, reading "Andrew L. Carter, Jr.", written in a cursive style.

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**ANDREW L. CARTER, JR.**  
**United States District Judge**